

2007 DRAFTING REQUEST**Bill**Received: **01/23/2008**Received By: **jkuesel**Wanted: **As time permits**

Identical to LRB:

For: **Thomas Lothian (608) 266-1190**By/Representing: **Tyler August**This file may be shown to any legislator: **NO**Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Privacy**Extra Copies: **DAK - 1
PJK - 1
RLR - 1**Submit via email: **YES**Requester's email: **Rep.Lothian@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:No specific pre topic given

Topic:Use of social security numbers as identifiers by governmental agencies

Instructions:

State and local governmental agencies may not use a social security number as an identifier in the administration of a program except as required by federal law or regulation or by state law, as required by the federal government as a condition to receipt of federal aid, and except as specifically authorized by state law. Effective on January 1, 2009.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 01/25/2008	bkraft 01/28/2008					S&L
/1			pgreensl 01/28/2008		mbarman 01/28/2008	cduerst 01/31/2008	

FE Sent For:

<END>

→ At
Intro.

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1/23/08	jkuesel	1/23/08					

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<END>

Kuesel, Jeffery

From: August, Tyler
Sent: Tuesday, January 22, 2008 4:54 PM
To: Kuesel, Jeffery
Subject: RE: Draft request

I'm guessing as well. Let's draft it as that and if there's major problems we can always amend it later in the process.

From: Kuesel, Jeffery
Sent: Tuesday, January 22, 2008 4:38 PM
To: August, Tyler
Subject: RE: Draft request

Tyler,

I think that's in the ballpark. I am only guessing because I am not familiar with all these situations in which the SS#'s are used.

Jeffery Kuesel

*Managing Attorney
Wisconsin Legislative Reference Bureau
P.O.Box 2037
Madison WI 53701-2037
(608) 266-6778
jeffery.kuesel@legis.state.wi.us*

From: August, Tyler
Sent: Tuesday, January 22, 2008 3:22 PM
To: Kuesel, Jeffery
Subject: RE: Draft request

That all sounds very good to us. Let's draft something along these lines. I assumed we would need a delayed effective by date...perhaps January 1st of 2009? I'm just throwing that number out there at this point. How does that sound?

From: Kuesel, Jeffery
Sent: Tuesday, January 22, 2008 2:36 PM
To: August, Tyler
Subject: RE: Draft request

Tyler,

I think we can have a draft that does not repeal or amend other statutes if we exclude requirements imposed by federal or state law or federal regulation or requirements imposed as a condition to receipt of federal aids by this state or a local government in this state. We should also exclude anything expressly authorized by state law.

We should also consider using a delayed effective date because with a large data base as we saw in the Medicaid situation, it would not be possible to implement a change on a short time line. Some changes might involve reprogramming.

Because of federal tax requirements, you may find that when money is passed by the government to individuals, it will be necessary to use an SS# to track it. However, your draft would only preclude use of an SS# as an identifier so I don't think this would necessarily prevent its use for tracking if we also use a separate identifier.

Jeffery Kuesel

*Managing Attorney
Wisconsin Legislative Reference Bureau
P.O.Box 2037*

Madison WI 53701-2037
(608) 266-6778
jeffery.kuesel@legis.state.wi.us

From: August, Tyler
Sent: Tuesday, January 22, 2008 11:21 AM
To: Kuesel, Jeffery
Subject: Draft request

Hi Jeff,

3831/2 looks good and I have the jacketing request in.

After talking with Rep. Lothian about the things you and I talked about with our original request, we're now wondering if we could go the blanket ban route with some vague language such as...

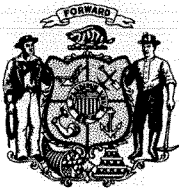
Except for where prohibited by state or federal law, no state or local government agency may utilize social security numbers as an identification number in the operation of programs."

Is that more doable than our original request?

Tyler

Sincerely,

Tyler August
Legislative Aide
State Representative Tom Lothian
32nd Assembly District
608-266-1190
tyler.august@legis.state.wi.us



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3911/2

JTK:.....

9 Lbjk

→ wanted mon 1/28

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

LPS - Please check spacing.

SA ✓
X-ref ✓

(generate) ←

AN ACT; relating to: use of a social security number as personal identifier in
the administration of a state or local governmental program

Analysis by the Legislative Reference Bureau

* This bill prohibits any state or local governmental unit or elected official having custody of public records from using a social security number as an identifier for an individual in the administration of a program that is administered by the unit or official. The prohibition does not apply when otherwise required by state or federal law or federal regulation, when otherwise required by the federal government as a condition to receipt of aids by a governmental unit or elected official, and when a state law specifically authorizes a social security number to be used. Violators are subject to a forfeiture (civil penalty) not exceeding \$500 for each violation. The prohibition is effective beginning on January 1, 2009. No similar prohibition exists currently.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 19.72 of the statutes is created to read:

✓ 19.72 Use of social security numbers as identifiers. Unless otherwise required by state or federal law or federal regulation or by the federal government

as a condition to receipt of aids by an authority and except as otherwise specifically authorized by state law, no authority may use a social security number as an identifier for an individual in the administration of a program that is administered by the authority.

SECTION 2. Effective date.

(1) This act takes effect on January 1, 2009.

(END)

Barman, Mike

From: August, Tyler
Sent: Thursday, January 31, 2008 1:45 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3911/1 Topic: Use of social security numbers as identifiers by governmental agencies

Please Jacket LRB 07-3911/1 for the ASSEMBLY.